

Exhibit D

JOINT LIST OF EXHIBTS

Case Caption: Fagal v. Marywood University **Case Number:** 3:14-cv-02404-ARC
Venue: Middle District of Pennsylvania **Judge:** A. Richard Caputo

Joint	Description of Object or Item	Identified	Evidence	Ruling	Witness on Stand
1.	Marywood University's Tenure Agreement with Plaintiff (Complaint Ex. A)				
2.	Marywood University's 2011-2012 Letter of Agreement with Plaintiff (May 25, 2011) (DEF 000005)				
3.	July 1 2010 Handbook (DEF 003456-3696)				
4.	Marywood University's Goals & Objectives (DEF 000447-448)				
5.	Marywood University's Tenure Policy (DEF 000431-436)				
6.	Marywood University's Academic Freedom Policy (DEF 000442-443)				
7.	Marywood University's Professional Ethics Policy (DEF 000444-445)				
8.	Marywood University's Progressive Discipline Policy (DEF 000455-459)				
9.	Marywood University's Faculty Grievances and Appeals Policy f (DEF 000449-454)				

Joint	Description of Object or Item	Identified	Evidence	Ruling	Witness on Stand
10.	December 15, 2011 Letter from Levine to Fagal Regarding Misunderstanding Of What Transpired About The Posters (DEF 001480)				
11.	January 13, 2012 Email from Plaintiff to Marywood University Faculty Colleagues and Students Criticizing University Administration With Hyperlinks to YouTube Videos (FFF 001617-001664)				
12.	Plaintiff's YouTube Video Part 1 of 2				
13.	Plaintiff's YouTube Video Part 2 of 2				
14.	January 17, 2012 email from Levine to Munley Regarding Videos (DEF 002418-2419)				
15.	January 22, 2012 Emails Between Dunleavy and Levine (DEF 002759-2760)				
16.	January 23, 2012 Dunleavy Handwritten Notes of Munley Meeting With Plaintiff Regarding YouTube Videos (DEF 000162-164)				
17.	January 23, 2012 Typed Notes of Munley Meeting With Plaintiff Regarding YouTube Videos (DEF 000143-144)				

Joint	Description of Object or Item	Identified	Evidence	Ruling	Witness on Stand
18.	January 23, 2012 Email from Dunleavy to Fagel Regarding Confirmation of Meeting 1-23-12 (FFF 000085)				
19.	January 23, 2012 Email from Dunleavy to Munley Regarding Update (DEF 002916)				
20.	January 24, 2012, Marywood University Correspondence to Plaintiff Enclosing Statement of Charges and Recommending Termination (DEF 000165-187)				
21.	Munley Talking Points for Board Describing Steps Taken Since Learning of Videos (DEF 000145-146)				
22.	February 3, 2012 Dunleavy Note Regarding Progressive Discipline (DEF 000199)				
23.	February 9, 2012 Letter From Williams to Cohen (DEF 003376-3378)				
24.	February 9, 2012 Marywood University Correspondence to Plaintiff Enclosing Revised Statement of Charges and Recommending Termination (DEF 000206-226)				
25.	February 22, 2012 Plaintiff's Grievance (DEF 003295-003455)				

Joint	Description of Object or Item	Identified	Evidence	Ruling	Witness on Stand
26.	Grievance Committee Notes (DEF 000279-000282)				
27.	March 19, 2012 Letter from Sadlack to Munley Regarding Receipt of Plaintiff's Grievance (DEF 000269)				
28.	March 26, 2012 Letter from Sadlack to Plaintiff Regarding Faculty Senate Grievance Committee Decision (DEF 000276)				
29.	March 28, 2012 Emails Between Sadlack and Plaintiff Regarding Faculty Senate Grievance Committee's Findings (DEF 000283-296)				
30.	March 29, 2012 Email from Fagel to Munley Regarding Ad Hoc Faculty Committee (FFF0016665)				
31.	April 3, 2012 Letter from Munley to Plaintiff Regarding Termination And Formation of Ad Hoc Faculty Committee (DEF 000302)				
32.	April 25, 2012 Email from Fagal to Levine (DEF 000306-308)				
33.	April 30, 2012 Email from Cabral to Plaintiff Regarding Composition of Ad Hoc Committee and That Committee Will be Convened Twice (DEF 001496)				

Joint	Description of Object or Item	Identified	Evidence	Ruling	Witness on Stand
34.	May 6, 2012 Plaintiff's Written Defense to Ad Hoc Committee (DEF 001433-1442)				
35.	May 17, 2012 Bittel Notes of Call With Dunleavy Regarding Remediation (DEF 003702)				
36.	July 2, 2012 Decision of Ad Hoc Committee (DEF 000412-415)				
37.	July 6, 2012 Email From Plaintiff to Ad Hoc Committee Disagreeing With Decision (DEF 000416-417)				
38.	July 13, 2012 Munley Letter to Plaintiff Regarding Final Termination Decision (DEF 000424)				
39.	July 15, 2012 Bittel Email to Munley Explaining July 13, 2012 Meeting of Ad Hoc Committee Regarding Review of Suspension (DEF 001513)				
40.	May 2017 SUNY Posting Application Letter and References (FFF 002851-002858)				
41.	Defendant's Answers and Objections to Plaintiff's First Set of Interrogatories				

4834-7239-7920, v. 2